

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of California-American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Coronado District to increase revenues by \$352.9 or 2.86% in the year 2005, to decrease revenues by (\$43.1) or (0.34%) in 2006, and to decrease revenues by (\$28.4) or (0.22%) in 2007.

Application 04-03-023  
(Filed March 22, 2004)

In the Matter of the Application of California-American Water Company (U 210 W) for an order authorizing it to change its rates for water service in its Village District to decrease revenues by (\$1,254.0) or (6.36%) in the year 2005, to decrease revenues by (\$24.9) or (0.13%) in 2006, and to increase revenues by \$4.7 or 0.03% in 2007.

Application 04-03-024  
(Filed March 22, 2004)

**OPINION GRANTING PETITION TO MODIFY DECISION 04-12-055**

This opinion grants a petition to modify Decision (D.) 04-12-055 that was filed on March 30, 2005 by the California-American Water Company (Cal-Am), the applicant in the above-noted proceedings. D.04-12-055 approved two settlement agreements that resolved all of the issues in these two general rate cases (GRCs), in which Cal-Am proposed new rates for 2005, 2006 and 2007 for its Coronado and Village Districts, which serve principally the City of Coronado and the City of Thousand Oaks, respectively.

In its petition, Cal-Am requests that D.04-12-055 be modified to include “the appendices, tariffs, step increases, and other documents” attached to the petition as Attachment A. Cal-Am notes that Ordering Paragraph (OP) 6 of D.04-12-055 directs it to file “tariffs containing the rate changes authorized in this decision for the Coronado and Village Districts, consistent with Appendix A.” However, Cal-Am asserts, without the documents included in Attachment A to the petition to modify, it cannot comply with OP 6. Cal-Am notes that these “attached missing documents are typically appended to final decisions approving rate changes,” and that “they appear to have been inadvertently omitted” from D.04-12-055.

The documents in Attachment A to the petition include summaries of earnings, the proposed rates for 2006 and 2007, actual tariffs, bill comparisons for typical customers, adopted quantities of water and figures for weighted average depreciated ratebase. Cal-Am notes that the Office of Ratepayer Advocates (ORA), which signed one of the settlement agreements approved in D.04-12-055, has reviewed all of these documents and that “counsel for ORA [has] indicated to counsel for [Cal-Am] that all of the documents are satisfactory.” (Petition to Modify, p. 1.)<sup>1</sup>

Cal-Am suggests that the documents in Attachment A be added to D.04-12-055 as Appendix D, and that OP 6 of that decision be modified to include a reference to the new Appendix D.

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<sup>1</sup> The other settlement agreement approved in D.04-12-055 concerned issues unique to the City of Thousand Oaks, and it is not affected by the various documents in Attachment A. The petition to modify was, however, served on counsel for the City of Thousand Oaks, who has raised no objection to it.

Modifying D.04-12-055 to add the documents set forth in Attachment A to the petition will enable Cal-Am to carry out the intent of that decision, and for our staff to perform the work it must do to implement the new rates.

Accordingly, we will grant Cal-Am's unopposed petition to modify. For ease of reference, the documents in Attachment A to Cal-Am's petition that relate to the Coronado District are appended to this decision as Attachment A, and those that relate to the Village District are appended hereto as Attachment B.

### **Comments on Draft Decision**

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Pub. Util. Code § 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

### **Assignment of Proceeding**

Michael R. Peevey is the Assigned Commissioner and A. Kirk McKenzie is the assigned Administrative Law Judge in this proceeding.

### **Findings of Fact**

1. The documents set forth in Attachment A to Cal-Am's March 30, 2005 petition to modify D.04-12-055, which documents are appended to this decision as Attachments A and B, contain material that is ordinarily appended to final Commission decisions approving changes in water rates.
2. ORA has reviewed all of the documents set forth in Attachments A and B hereto and has no objection to including them as part of D.04-12-055.
3. Including the material in Attachments A and B hereto as an appendix to D.04-12-055 will enable Cal-Am to comply with the requirements of that decision.

### **Conclusions of Law**

1. The petition to modify D.04-12-055 filed by Cal-Am on March 30, 2005 should be granted.

2. The material included as Attachment A to Cal-Am's petition to modify, and to this decision as Attachments A and B, should be added to D.04-12-055 as Appendix D.

3. OP 6 of D.04-12-055 should be modified to include a reference to the new Appendix D.

**O R D E R**

**IT IS ORDERED** that:

1. The petition to modify Decision (D.) 04-12-055 filed by the California-American Water Company (Cal-Am) on March 30, 2005 is granted.

2. The documents appended to this decision as Attachments A and B, which together constitute Attachment A to Cal-Am's petition to modify D.04-12-055, shall be added to D.04-12-055 as Appendix D.

3. Ordering Paragraph 6 of D.04-12-055 is amended to read as follows:

"Cal-Am is authorized to file in accordance with General Order 96-A, or its successor, and to make effective on not less than five days' notice, tariffs containing the rate changes authorized in this decision for the Coronado and Village Districts, consistent with Appendices A and D."

4. This proceeding is closed.

This order is effective today.

Dated \_\_\_\_\_, at San Francisco, California.